

**From:** [Moore, Gary](#)  
**To:** [Abigail Ryan \(Abigail.Ryan@tceq.texas.gov\)](#)  
**Subject:** RE: Draft Access Agreement  
**Date:** Tuesday, May 19, 2015 1:24:03 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Abigail:

I have an issue with waiting 30 – 45 days for the PRP Group to transition with EPA on the Site and begin limited activities. It is my opinion that we need to get this access agreement signed and the PRP Group on site ASAP to begin to management of the storm water, hydro-blast the 35 ASTs, and begin the general site debris cleanup, and basically show a consistent presence. I do not believe that the PRP Group is opposed to this.

The failure to keep a constant presence on the site will be the downfall of the community trust we have established by our presence and consistent actions on the Site. The residents and activist groups need to have a single point of contact with the PRP Group and the TCEQ.

I recommend that we have a meeting to discuss these issues.

**Gary Moore**

**Federal On-Scene Coordinator**

**U.S. EPA Region 6**

**214-789-1627 cell**

**214-665-6609 office**

[moore.gary@epa.gov](mailto:moore.gary@epa.gov)

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**From:** Steven Shurn [mailto:sds@hwallp.com]

**Sent:** Tuesday, May 19, 2015 11:36 AM

**To:** Moore, Gary

**Cc:** Salinas, Amy; Wayne Kitchens; Abigail Ryan (Abigail.Ryan@tceq.texas.gov)

**Subject:** RE: Draft Access Agreement

Gary, my partner Wayne Kitchens is handling this aspect – 713-759-0818.

However, both the TCEQ and the PRP group acknowledge that the PRP Group cannot access the property and begin work *until* the TCEQ approves the submitted applications and the VCP is approved.

We are told that this will take between 30 and 45 days.

I have copied Abby Ryan with the TCEQ on this email. Abby if our understanding is incorrect, please let us know as soon as possible.

I will call Amy now.

Thank you.

Steve

Steven Shurn, Partner

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**From:** Moore, Gary [<mailto:Moore.Gary@epa.gov>]

**Sent:** Tuesday, May 19, 2015 11:11 AM

**To:** Steven Shurn

**Cc:** Salinas, Amy

**Subject:** FW: Draft Access Agreement

Steve:

How do we get this executed ASAP? We need to get the PRP Group on-site immediately to begin transition of activities to complete the cleanup on the site. We cannot afford to have any delays in activities.

Thanks

**Gary Moore**

**Federal On-Scene Coordinator**

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**From:** Walter, Karen [<mailto:Karen.Walter@lubrizol.com>]

**Sent:** Tuesday, May 19, 2015 10:58 AM

**To:** Moore, Gary

**Subject:** FW: Draft Access Agreement

Gary,

Here is the access agreement that we sent to the parties last week.

Karen L. Walter

Counsel

The Lubrizol Corporation

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**From:** Bates, David [<mailto:dbates@gardere.com>]  
**Sent:** Thursday, May 14, 2015 11:37 AM  
**To:** [sshurn@hwa.com](mailto:sshurn@hwa.com); Wayne Kitchens ([WKitchens@hwa.com](mailto:WKitchens@hwa.com)); David Askanase ([dja@hwallp.com](mailto:dja@hwallp.com))  
**Cc:** Walter, Karen; 'Abigail.Ryan@tceq.texas.gov' ([Abigail.Ryan@tceq.texas.gov](mailto:Abigail.Ryan@tceq.texas.gov))  
**Subject:** Draft Access Agreement

As discussed yesterday, attached is a simple access agreement to permit the PRP Group to begin work. Let us know your thoughts. Thanks.

David M. Bates | Partner  
**Gardere Wynne Sewell LLP**

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